

# **EXHIBIT F**

Issued by the  
**UNITED STATES DISTRICT COURT**  
 WESTERN DISTRICT OF WASHINGTON

CONNECTU LLC

V.

**SUBPOENA IN A CIVIL CASE**

FACEBOOK, INC., ET AL

Case Number:<sup>1</sup> 1:04-CV-11923  
 USDC District of Massachusetts

TO: Pacific Northwest Software  
 2210 177th Place NE  
 Redmond WA 98052

- ☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

- ☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP, 719 Second Avenue, Suite 900, Seattle, WA	October 18, 2006, 9:00 a.m.

- ☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

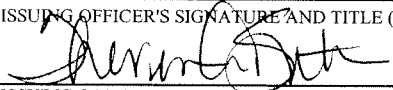
See Attachment A

PLACE	DATE AND TIME
Orrick, Herrington & Sutcliffe LLP, 719 Second Avenue, Suite 900, Seattle, WA	October 11, 2006, 9:00 a.m.

- ☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
	September 26, 2006

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Theresa A. Sutton, Counsel for Defendants Facebook, Zuckerberg, Moskovitz, McCollum, and Hughes (Tel: 650.614.7400)  
 Orrick, Herrington & Sutcliffe LLP  
 1000 Marsh Road, Menlo Park, CA 94025

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on next page)

<sup>1</sup> If action is pending in district other than district of issuance, state district under case number.

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**PROOF OF SERVICE**

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DATE

PLACE

SERVED:

SERVED ON (PRINT NAME)

MANNER OF SERVICE

SERVED BY (PRINT NAME)

TITLE

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**DECLARATION OF SERVER**

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I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

DATE

SIGNATURE OF SERVER

ADDRESS OF SERVER

## Rule 45, Federal Rules of Civil Procedure, Parts C & D:

### (c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

### (d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiffs,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and FACEBOOK,  
INC.,

Defendants.

CIVIL ACTION NO. 1:04-CV-11923  
(DPW)

MARK ZUCKERBERG, and FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

**AMENDED NOTICE OF SUBPOENA TO PACIFIC NORTHWEST SOFTWARE**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

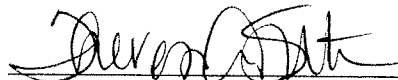
PLEASE TAKE NOTICE THAT pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure Defendant and Counterclaimant Facebook, Inc. will take, by oral examination, the deposition of Pacific Northwest Software, which will commence on October 18, 2006, at 9:00 A.M. at the law offices of Orrick, Herrington & Sutcliffe LLP, 719 Second Avenue, Seattle, Washington, or at a time and place agreed upon by counsel. The deposition will continue from day to day until completed. The testimony of Pacific Northwest

Software will be recorded by video, as well as stenographic means including the instant visual display of testimony. The deposition will be taken before an officer authorized by law to administer oaths pursuant to Rule 28 of the Federal Rules of Civil Procedure.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Pacific Northwest Software shall designate one or more officers, directors, agents, employees or other persons who have knowledge of and will to testify on behalf of Pacific Northwest Software with respect to the subjects specified in Attachment B.

PLEASE TAKE FURTHER NOTICE that pursuant to Rule 45 of the Federal Rules of Civil Procedure, Facebook will request that Pacific Northwest Software produce the documents identified in Attachment A to the subpoena for inspection and copying on October 11, 2006, at the address listed in the subpoena. A true and correct copy of the subpoena is attached.

Dated: September 26, 2006



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Theresa A. Sutton (*Admitted Pro Hac Vice*)  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
Menlo Park, CA 94025  
Telephone: (650) 614-7400  
Facsimile: (650) 614-7401

PROSKAUER ROSE, LLP  
One International Plaza, 14th Floor  
Boston, MA 02110-2600  
Telephone: (617) 526-9600  
Facsimile: (617) 526-9899

Attorneys for Mark Zuckerberg,  
Dustin Moskovitz, Andrew McCollum,  
Christopher Hughes, and Facebook, Inc.

## **Attachment A**

1. All communications that refer to, relate to, or reflect the organization or membership of ConnectU LLC as of September 2, 2004, including all communications with any party representing ConnectU LLC or [www.connectu.com](http://www.connectu.com) which reflects work performed for ConnectU LLC or the responsibilities of that party to ConnectU LLC.
2. All communications that refer to Divya Narendra (including as a recipient of any such communication) and that summarize, describe, refer or relate to ConnectU LLC, [www.connectu.com](http://www.connectu.com), or HarvardConnection.
3. All communications between you and HarvardConnection; iMarc, LLC; ConnectU, LLC; ConnectU, Inc.; Cameron Winklevoss; Tyler Winklevoss; Howard Winklevoss; and/or Maria Antonelli.
4. All communications that summarize, describe or refer to the formation and membership of ConnectU LLC or Harvard Connection.
5. All handwritten notes, billing records, emails, electronic communications, or the like, which refer or relate to ConnectU LLC, [www.connectu.com](http://www.connectu.com), [www.facebook.com](http://www.facebook.com), and/or TheFacebook.
6. All billing or similar records for work performed for, on behalf of, or by, Harvard Connection, ConnectU LLC, and/or [www.connectu.com](http://www.connectu.com), including the dates of such work.
7. All communications that summarize the role of Winklevoss Consultants, Inc, Winklevoss Technologies, LLC or Winklevoss LLC, to the extent that such communications also concern Harvard Connection, ConnectU LLC or [www.connectu.com](http://www.connectu.com).

## **Attachment B**

### **Topics for Deposition**

1. The creation of, authenticity of, location of, attempt to identify, and efforts to locate and produce all documents identified in Attachment A of this subpoena *duces tecum*.
2. Communications regarding the organization or membership of ConnectU LLC as of September 2, 2004, including all communications with any party representing ConnectU LLC or [www.connectu.com](http://www.connectu.com) which reflects work performed for ConnectU LLC or the responsibilities of that party to ConnectU LLC.
3. Communications regarding Divya Narendra and ConnectU LLC, [www.connectu.com](http://www.connectu.com), or HarvardConnection.
4. Communications between you and HarvardConnection; iMarc, LLC; ConnectU, LLC; ConnectU, Inc.; Cameron Winklevoss; Tyler Winklevoss; Howard Winklevoss; and/or Maria Antonelli.
5. Communications regarding the formation and membership of ConnectU LLC or Harvard Connection.
6. Corporate (including, without limitation, notes, billing, or financial) records that refer to ConnectU LLC, [www.connectu.com](http://www.connectu.com), [www.facebook.com](http://www.facebook.com), TheFacebook, and/or Harvard Connection.
7. Your relationship with, including any work you performed for ConnectU LLC, [www.connectu.com](http://www.connectu.com), and Harvard Connection.
8. Communications regarding Winklevoss Consultants, Inc, Winklevoss Technologies, LLC or Winklevoss LLC, to the extent that such communications also concern Harvard Connection, ConnectU LLC or [www.connectu.com](http://www.connectu.com).